

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

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R.A.No.185/99 in
O.A.NO.2078/93

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Shri R.K.Ahooja, Member(A)

18

New Delhi, this the 7th day of October, 1999

M.M.Gupta .. Review Applicant

Vs.

Union of India .. Review respondent

O R D E R(By Circulation)

Hon'ble Shri R.K.Ahooja, Member(A)

The review petitioner/applicant had filed OA No.2078/93 aggrieved by his supersession for promotion to the post of Deputy Controller of Accounts. The Tribunal after going through the records and examining the proceedings of the DPC as well as ACR dossiers of the applicant, found no ground for interference and had dismissed the OA.

2. The Petitioner now submits that the aforesaid order requires a review inasmuch as the Tribunal did not go into the points raised in MA No.1130 of 1998 which was considered along with the OA. The applicant submits that the MA related to the conceded fact that respondents had decided to induct the applicant in the Indian Central Accounts Service (Group 'A') w.e.f. 1.4.1987 and that the induction had been approved but could not be given effect to as in the meanwhile the applicant had been superannuated from service.

3. While it is correct that by its order dated 1.6.1998, the MA 1130/98 was to be considered with the OA at the time of final hearing. The points

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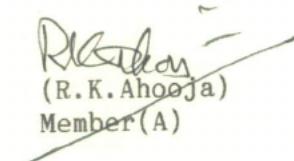
made in that MA were, however, not relevant to the

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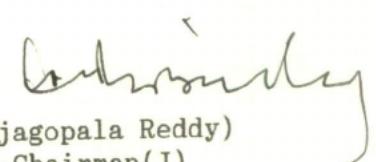
submitted that the order of the Tribunal in OA 155/95, in regard to his induction into the Indian Civil Accounts Service w.e.f. 1.4.1987, was not considered on merits and he should therefore be allowed to include this as a relief in OA No.2078/93. The fact remains that this relief had been sought for in OA No.155/95 and the said OA was dismissed on the ground that the applicant had not approached the Tribunal with clean hands. That O.A. having been rejected the same could not again be reagitated in OA 2078/93.

(19)

4. The finding of the Tribunal in OA 2078/93, as already mentioned is on the basis of the service records of the applicant. In view of this position, there is no patent error or glaring error apparent in the impugned order which would warrant a review. The RA is accordingly summarily rejected.


(R.K. Ahuja)
Member(A)

/rao/


(V.Rajagopala Reddy)
Vice-Chairman(J)